



8 DEC 2002

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Docket Administrator
Lucent Technologies, Inc.
600 Mountain Avenue (Room 3C-512)
P.O. Box 636
Murray Hill, NJ 07974-0636

In re Application of
SRIVASTAVA, et al.

Application No.: 09/485,877

PUT No.: PCT/US99/13812

Int. Filing Date: 18 June 1999

Priority Date: 19 June 1998

Attorney Docket No.: Srivas-14-21

For: GAIN TILT CONTROL WITH MID-
STAGE ATTENUATORS IN ERBIUM-
DOPED FIBER AMPLIFIERS

DECISION ON PETITION

UNDER 37 CFR 1.497

This decision is in response to applicant's correspondence filed 06 December 2002 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 25 September 2001, applicant was mailed a decision dismissing applicant's renewed petition under 37 CFR 1.47(a) as moot as applicant provided a declaration executed by the previous non-signing inventor, John ZYSKIND. In the decision applicant was advised that the declarations did not comply with 37 CFR 1.497(a)-(b). Applicant was afforded two months to file an oath or declaration in compliance with 37 CFR 1.497 (a)-(b) signed by all inventors.

On 06 December 2002, applicant filed the present petition accompanied by a stamped return postcard and new declarations executed by inventors Atul Srivastava, James Sulhoff, Yan Sun, Charles Wolf and Jianhui Zhou.

DISCUSSION

After receiving applicant's facsimile transmission of 06 December 2002, a search of USPTO records found the response originally filed 04 January 2002 contained in the file of international application PCT/US99/13812. Applicant is advised that all communications regarding this national stage application should contain the serial number for the present application, 09/485,877. The papers filed 04 January 2002 will be placed in the national stage file, 09/485,877.

A review of the papers finds that applicant has certified that they were deposited for

mailing on 16 November 2001 and thus timely filed. A review of the papers submitted finds that applicant has now provided executed declarations from all named inventors which comply with 37 CFR 1.497 (a)-(b).

CONCLUSION

Applicant's petition under 37 CFR 1.497 is **GRANTED**.

This application will be given an international application filing date of 18 June 1999 and a date of **04 January 2002** under 35 U.S.C. 371.

This application is being returned to the DO/EO/US for processing in accordance with this decision, namely, the mailing of a NOTIFICATION OF ACCEPTANCE UNDER 35 U.S.C. 371 (Form PCT/DO/EO/903).



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